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Attorneys for Defendants Patrick Allen, Sejal Hathi, Dolores Matteucci, and James Diegel

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

DISABILITY RIGHTS OREGON,
METROPOLITAN PUBLIC DEFENDER
SERVICES, INC., and A.J. MADISON,

Plaintiffs,

v.

SEJAL HATHI, in her official capacity as
head of the Oregon Health Authority, and
JAMES DIEGEL in his official capacity as
Interim Superintendent of the Oregon State
Hospital,

Defendants.

JAROD BOWMAN, JOSHAWN DOUGLAS-
SIMPSON,

Plaintiffs,

v.

JAMES DIEGEL, Interim Superintendent of
the Oregon State Hospital, in his official

Case No. 3:02-cv-00339-AN (Lead Case)
Case No. 3:21-cv-01637-AN (Member Case)
Case No. 6:22-CV-01460-AN (Member Case)

DEFENDANTS' RE-SUBMITTED FIRST
FINE CALCULATION REPORT

Case No. 3:21-cv-01637-AN (Member Case)

capacity, DOLORES MATTEUCCI, in her individual capacity, SEJAL HATHI, Director of the Oregon Health Authority, in her official capacity, and PATRICK ALLEN in his individual capacity,

Defendants.

LEGACY EMANUEL HOSPITAL & HEALTH CENTER d/b/a UNITY CENTER FOR BEHAVIORAL HEALTH; LEGACY HEALTH SYSTEM; PEACEHEALTH; and PROVIDENCE HEALTH & SERVICES OREGON,

Plaintiffs,

v.

SEJAL HATHI, in her official capacity as Director of Oregon Health Authority,

Defendant.

Case No. 6:22-CV-01460-AN (Member Case)

Pursuant to the Opinion and Order issued by this Court on August 6, 2025, Defendants re-submit their first report calculating contempt fines accrued for the period of June 7, 2025, through June 15, 2025. In accordance with that Order, Defendants have re-calculated the fines accrued to include all days for which persons ordered committed to the Oregon State Hospital pursuant to ORS 161.370 waited longer than seven days for admission, including any days that resulted from delays outside of Defendants' control.

To maintain clarity and completion in the record, this re-submission includes the same relevant dashboard data that was provided with Defendants' original first fine calculation report, attached as Exhibit 1. And in compliance with the re-calculation required by this Court's August 6 Order, a new calculation of fines is attached as Exhibit 2. As shown in that calculation, the total fine amount for the period of June 7, 2025, through June 15, 2025, is \$41,000.

DATED August 7, 2025.

Respectfully submitted,

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OSH Forensic Admission and Discharge Bi-Weekly Report

June 2-15, 2025

Aid & Assist

| County | Admission List (as of June 16) | | | | Patients Admitted During the Two Weeks | | | | No Longer Needing HLOC (as of June 16) | | | | | | | | Patients Discharged for Community Restoration | | | | | | | |
|--------------|--------------------------------|------------|----------|-----------|--|-------------|----------|-----------|--|-------------------|----------|-----------|-----------|-----------|----------|-------------|---|-------------------|----------|----------|----------|----------|----------|-------------|
| | Count | Avg Days | Low | High | Count | Avg Days | Low | High | Count | Recommended LOCUS | | | | | | Avg Days | Count | Recommended LOCUS | | | | | | Avg Days |
| | | | | | | | | | | 1 | 2 | 3 | 4 | 5 | 6 | | | 1 | 2 | 3 | 4 | 5 | 6 | |
| Baker | | | | | | | | | | | | | | | | | | | | | | | | |
| Benton | | | | | 2 | 13.0 | 13 | 13 | 2 | | | | 1 | 1 | | 29.5 | 1 | | | | 1 | | | 97.0 |
| Clackamas | | | | | 5 | 8.0 | 8 | 8 | 10 | | | 1 | 1 | 8 | | 30.8 | 2 | | | | 2 | | | 35.0 |
| Clatsop | | | | | | | | | | | | | | | | | 1 | | | | 1 | | | 64.0 |
| Columbia | | | | | 2 | 9.5 | 8 | 11 | 1 | | | | 1 | | | 53.0 | 1 | | | | 1 | | | 37.0 |
| Coos | | | | | 2 | 8.0 | 8 | 8 | 3 | | | | 2 | 1 | | 22.7 | | | | | | | | |
| Crook | | | | | | | | | | | | | | | | | | | | | | | | |
| Curry | | | | | | | | | | | | | | | | | | | | | | | | |
| Deschutes | 2 | 5.5 | 3 | 8 | | | | | 1 | | | | | 1 | | 19.0 | | | | | | | | |
| Douglas | | | | | 2 | 11.5 | 9 | 14 | 8 | | | 1 | 3 | 3 | | 32.6 | | | | | | | | |
| Gilliam | | | | | | | | | | | | | | | | | | | | | | | | |
| Grant | | | | | | | | | | | | | | | | | | | | | | | | |
| Harney | | | | | | | | | | | | | | | | | | | | | | | | |
| Hood River | | | | | 1 | 11.0 | 11 | 11 | | | | | | | | | | | | | | | | |
| Jackson | 3 | 7.3 | 5 | 12 | 5 | 12.6 | 11 | 13 | 1 | | | | 1 | | | 46.0 | | | | | | | | |
| Jefferson | | | | | 1 | 12.0 | 12 | 12 | | | | | | | | | | | | | | | | |
| Josephine | 1 | 3.0 | 3 | 3 | 2 | 8.5 | 8 | 9 | 1 | | | | | 1 | | 32.0 | | | | | | | | |
| Klamath | | | | | | | | | 3 | | | 1 | 1 | 1 | | 57.0 | | | | | | | | |
| Lake | | | | | | | | | | | | | | | | | | | | | | | | |
| Lane | 7 | 7.4 | 5 | 11 | 6 | 11.3 | 10 | 13 | 12 | | 1 | 2 | 6 | 3 | | 63.4 | | | | | | | | |
| Lincoln | | | | | 1 | 9.0 | 9 | 9 | 2 | | | | 1 | 1 | | 35.5 | | | | | | | | |
| Linn | 4 | 6.3 | 3 | 10 | | | | | 3 | | | | 2 | 1 | | 24.7 | | | | | | | | |
| Malheur | | | | | | | | | 1 | | | | | 1 | | 35.0 | | | | | | | | |
| Marion | 5 | 6.2 | 3 | 10 | 3 | 11.0 | 9 | 12 | 8 | | | 1 | 2 | 5 | | 35.8 | 1 | | | | 1 | | | 137.0 |
| Morrow | | | | | | | | | | | | | | | | | | | | | | | | |
| Multnomah | 4 | 6.3 | 6 | 7 | 13 | 10.2 | 8 | 13 | 18 | | | 1 | 7 | 8 | 2 | 32.8 | 6 | | | 1 | 3 | 2 | | 45.5 |
| Polk | | | | | | | | | 4 | | | | | 4 | | 53.0 | | | | | | | | |
| Sherman | | | | | | | | | | | | | | | | | | | | | | | | |
| Tillamook | | | | | 1 | 12.0 | 12 | 12 | 2 | | | 1 | 1 | | | 37.0 | | | | | | | | |
| Umatilla | | | | | | | | | 1 | | | 1 | | | | 6.0 | | | | | | | | |
| Union | | | | | 1 | 12.0 | 12 | 12 | | | | | | | | | | | | | | | | |
| Wallowa | | | | | | | | | | | | | | | | | | | | | | | | |
| Wasco | 2 | 7.5 | 4 | 11 | | | | | | | | | | | | | | | | | | | | |
| Washington | 4 | 6.3 | 6 | 7 | 2 | 8.5 | 8 | 9 | 7 | | | | 4 | 2 | 1 | 33.7 | 2 | | 1 | 1 | | | | 55.5 |
| Wheeler | | | | | | | | | | | | | | | | | | | | | | | | |
| Yamhill | | | | | 1 | 8.0 | 8 | 8 | 3 | | | 1 | 1 | 1 | | 26.0 | | | | | | | | |
| Total | 32 | 6.5 | 3 | 12 | 50 | 10.4 | 8 | 14 | 91 | 0 | 1 | 10 | 34 | 42 | 3 | 37.9 | 14 | 0 | 0 | 1 | 3 | 8 | 2 | 56.4 |

PSRB / GEI

| County | Admission List (as of June 16) | | | | Patients Admitted During the Two Weeks | | | | Patients Conditionally Released to PSRB | | | | | | | | |
|------------|--------------------------------|----------|-----|------|--|----------|-----|------|---|----------------------|-----|-----|-----|------|-------|----------|-------|
| | Count | Avg Days | Low | High | Count | Avg Days | Low | High | Count | Level of Care Needed | | | | | | Avg Days | |
| | | | | | | | | | | SRTF | RTF | AFH | DOC | Ind. | Other | | |
| Baker | | | | | | | | | | | | | | | | | |
| Benton | | | | | | | | | | | | | | | | | |
| Clackamas | | | | | | | | | | | | | | | | | |
| Clatsop | | | | | | | | | | | | | | | | | |
| Columbia | | | | | | | | | 1 | 1 | | | | | | | 167.0 |
| Coos | | | | | | | | | | | | | | | | | |
| Crook | | | | | | | | | | | | | | | | | |
| Curry | | | | | | | | | | | | | | | | | |
| Deschutes | | | | | | | | | | | | | | | | | |
| Douglas | | | | | 1 | 14.0 | 14 | 14 | | | | | | | | | |
| Gilliam | | | | | | | | | | | | | | | | | |
| Grant | | | | | | | | | | | | | | | | | |
| Harney | | | | | | | | | | | | | | | | | |
| Hood River | | | | | | | | | | | | | | | | | |
| Jackson | 1 | 3.0 | 3 | 3 | | | | | | | | | | | | | |
| Jefferson | | | | | | | | | | | | | | | | | |
| Josephine | | | | | | | | | | | | | | | | | |
| Klamath | | | | | | | | | | | | | | | | | |
| Lake | | | | | 1 | 20.0 | 20 | 20 | | | | | | | | | |
| Lane | | | | | | | | | | | | | | | | | |
| Lincoln | | | | | | | | | | | | | | | | | |
| Linn | | | | | | | | | | | | | | | | | |
| Malheur | | | | | | | | | | | | | | | | | |
| Marion | | | | | | | | | | | | | | | | | |
| Morrow | | | | | | | | | | | | | | | | | |
| Multnomah | | | | | 3 | 9.3 | 2 | 15 | | | | | | | | | |
| Polk | | | | | | | | | | | | | | | | | |
| Sherman | | | | | | | | | | | | | | | | | |
| Tillamook | | | | | | | | | | | | | | | | | |
| Umatilla | | | | | | | | | 2 | 2 | | | | | | | 320.0 |
| Union | | | | | | | | | | | | | | | | | |
| Wallowa | | | | | | | | | | | | | | | | | |
| Wasco | | | | | | | | | | | | | | | | | |
| Washington | | | | | | | | | | | | | | | | | |
| Wheeler | | | | | | | | | | | | | | | | | |
| Yamhill | | | | | | | | | | | | | | | | | |
| Total | 1 | 3.0 | 3 | 3 | 5 | 12.4 | 2 | 20 | 3 | 2 | 1 | 0 | 0 | 0 | 0 | | 269.0 |

**Data related to PSRB / GEI patients who no longer need hospital level of care are not listed until they discharge since the county and level of care is not known until placement.*

Definition Guide

Aid & Assist – Includes patients under an ORS 161.370 court order needing competency restoration.

PSRB / GEI – Includes patients under a GEI court order (ORS 161.327 and ORS 161.336) or a PSRB court order (ORS 419C.530, ORS 426.220, ORS 426.701, and ORS 426.702).

Currently on the Admission List – Includes patients awaiting admission to OSH for whom OSH has received the court order.

Avg Days – The average days a patient currently on the admission list has been waiting for admission to OSH, measured from the date the court order was signed.

Admitted During the Month – Includes patients who were admitted to OSH during the month.

Avg Days – The average days a patient admitted to OSH had been waiting for admission, measured from the date the court order was signed.

No Longer Needs Hospital Level of Care – Includes patients who have been assessed to no longer need Hospital Level of Care (HLOC) and are ready to be discharged from OSH.

Aid & Assist patients are added to the Ready to Place (RTP) list and PSRB/GEI patients are added to the Conditional Release Ready (CRR) list.

Avg Days – The average days a patient assessed to no longer need HLOC has been waiting for discharge, measured from the date the assessment was made.

Discharged After Having Been Assessed to No Longer Need Hospital Level of Care – Includes patients who had been assessed to no longer need HLOC and were discharged from OSH during the month. For Aid & Assist patients, only those discharged to community restoration are included.

Avg Days – The average days a patient discharged from OSH had been waiting for discharge, measured from the date the assessment was made.

LOCUS Score – The Level of Care Utilization System (LOCUS) is a dynamic instrument that is used to determine and recommend a continuum of service needs, e.g. the environment of care, hours of contact and types of services.

1 – Independent Living - Patients who are living either independently or with minimal support in the community and who have achieved significant recovery from past episodes of illness.

2 – Independent Living - Patients who need ongoing treatment, but who are living either independently or with minimal support in the community.

3 – Independent Living – Patients who need intensive support and treatment, but who are living either independently or with minimal support in the community.

4 – Supportive/Supported Housing and ACT Services - Patients can live in the community either in supportive or independent settings, but treatment needs require intensive management by a multi-disciplinary treatment team.

5 – RTF/RTH - This level of care has traditionally been provided in non-hospital; free standing residential facilities based in the community.

6 – Class 1 SRTF or Psychiatric Hospital - Traditionally provided in a hospital setting, but could, in some cases, can be provided in a free-standing non-hospital setting.

Level of Care Needed – All levels of supervision under the PSRB are assessed not just by clinical stability but also by dangerousness. The PSRB mission is community and public safety therefore the driver for placement is safety to the community.

SRTF – Patients who need placement in a locked Secure Residential Treatment Facility (SRTF) that provides support for daily living, medication monitoring, and crisis intervention.

RTF – Patients who need placement in an unlocked Residential Treatment Facility (RTF) that provides support for daily living, medication monitoring, and crisis intervention.

AFH – Patients with specific needs who require Adult Foster Home (AFH) placements that provide support for training or assistance with personal care and activities of daily living, supervision of medications and/or behavior, crisis prevention, and management of diet and health care.

DOC – Patients that have been dually sentenced to both PSRB and DOC at the same time and are ready to be released to DOC care.

Ind. – Patients who may still require treatment but who are appropriate for either an independent living (Ind.) arrangement or with minimal support in the community.

Other – Patients who have a more uncommon level of need not identified in the other categories.

| Patient | Admit Date | County of Commitment | Court Type | Highest Charge Classification | Order Signed | Order Received | Signed-Adm | Days >7 | Fine |
|---------|------------|----------------------|---------------|-------------------------------|--------------|----------------|------------|-----------|-----------------|
| 1 | 06/09/2025 | Multnomah | Circuit Court | Felony B | 05/27/25 | 05/28/25 | 13 | 6 | \$3,000 |
| 2 | 06/09/2025 | Benton | Circuit Court | Felony B | 05/27/25 | 05/27/25 | 13 | 6 | \$3,000 |
| 3 | 06/09/2025 | Multnomah | Circuit Court | Felony B | 05/27/25 | 05/28/25 | 13 | 6 | \$3,000 |
| 4 | 06/09/2025 | Jefferson | Circuit Court | Felony A | 05/28/25 | 05/28/25 | 12 | 5 | \$2,500 |
| 5 | 06/09/2025 | Benton | Circuit Court | Misdemeanor A | 05/27/25 | 05/27/25 | 13 | 6 | \$3,000 |
| 6 | 06/10/2025 | Marion | Circuit Court | Felony C | 05/29/25 | 05/30/25 | 12 | 5 | \$2,500 |
| 7 | 06/10/2025 | Clackamas | Circuit Court | Felony B | 06/02/25 | 06/02/25 | 8 | 1 | \$500 |
| 8 | 06/10/2025 | Clackamas | Circuit Court | Felony A | 06/02/25 | 06/02/25 | 8 | 1 | \$500 |
| 9 | 06/10/2025 | Lane | Circuit Court | Felony C | 05/28/25 | 05/29/25 | 13 | 6 | \$3,000 |
| 10 | 06/10/2025 | Jackson | Circuit Court | Felony C | 05/28/25 | 05/28/25 | 13 | 6 | \$3,000 |
| 11 | 06/10/2025 | Lane | Circuit Court | Felony C | 05/29/25 | 05/29/25 | 12 | 5 | \$2,500 |
| 12 | 06/11/2025 | Multnomah | Circuit Court | Felony C | 06/03/25 | 06/04/25 | 8 | 1 | \$500 |
| 13 | 06/11/2025 | Washington | Circuit Court | Felony A | 06/03/25 | 06/03/25 | 8 | 1 | \$500 |
| 14 | 06/11/2025 | Multnomah | Circuit Court | Felony B | 06/03/25 | 06/04/25 | 8 | 1 | \$500 |
| 15 | 06/11/2025 | Multnomah | Circuit Court | Misdemeanor A | 06/03/25 | 06/04/25 | 8 | 1 | \$500 |
| 16 | 06/11/2025 | Multnomah | Circuit Court | Felony C | 06/03/25 | 06/04/25 | 8 | 1 | \$500 |
| 17 | 06/11/2025 | Josephine | Circuit Court | Felony C | 06/02/25 | 06/02/25 | 9 | 2 | \$1,000 |
| 18 | 06/12/2025 | Josephine | Circuit Court | Felony B | 06/04/25 | 06/04/25 | 8 | 1 | \$500 |
| 19 | 06/12/2025 | Multnomah | Circuit Court | Felony B | 06/03/25 | 06/04/25 | 9 | 2 | \$1,000 |
| 20 | 06/12/2025 | Lane | Circuit Court | Felony B | 06/02/25 | 06/02/25 | 10 | 3 | \$1,500 |
| 21 | 06/12/2025 | Yamhill | Circuit Court | Felony C | 06/04/25 | 06/05/25 | 8 | 1 | \$500 |
| 22 | 06/12/2025 | Lane | Circuit Court | Felony A | 06/02/25 | 06/02/25 | 10 | 3 | \$1,500 |
| 23 | 06/12/2025 | Lane | Circuit Court | NONE LISTED | 06/02/25 | 06/02/25 | 10 | 3 | \$1,500 |
| 24 | 06/13/2025 | Coos | Circuit Court | Felony C | 06/05/25 | 06/06/25 | 8 | 1 | \$500 |
| 25 | 06/13/2025 | Marion | Circuit Court | Misdemeanor B | 06/05/25 | 06/06/25 | 8 | 1 | \$500 |
| 26 | 06/13/2025 | Lincoln | Circuit Court | Felony A | 06/04/25 | 06/04/25 | 9 | 2 | \$1,000 |
| 27 | 06/13/2025 | Marion | Circuit Court | Misdemeanor A | 06/04/25 | 06/05/25 | 9 | 2 | \$1,000 |
| 28 | 06/13/2025 | Columbia | Circuit Court | Felony A | 06/05/25 | 06/05/25 | 8 | 1 | \$500 |
| 29 | 06/13/2025 | Washington | Circuit Court | Felony C | 06/04/25 | 06/05/25 | 9 | 2 | \$1,000 |
| | | | | | | | | 82 | \$41,000 |